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The Start of the Day

The *Mishnah* in the beginning of the third *perek* of *Yoma* states that the daily service would not start until the sunlight on the horizon had reached *Chevron*. It may seem that the *Mishnah* describes the start of the *Yom Kippur* service as different to other days. Yet the *Mishnah* in *Tamid* (3:2) describes the start of a regular day in the *Beit Ha'Mikdash* in the same manner. The period of time discussed in both *Mishnayot* is known as *Alot HaShachar*. They had to wait for *Alot HaShachar* because the *korban Tamid* must be offered during the 'day'. The source of this requirement is the *pasuk* (19:6), "The day of your offering". Consequently, any offering that is offered before daytime is not kosher.

There is a *halachic* debate regarding the start of the day and there are two main opinions regarding this matter. The first is the time when the first rays of light come over the horizon - *Alot HaShachar*. The second is when the sun itself raises over the horizon - *HaNetz HaChamah*.

The *Poskim* (*Shulchan Aruch Orach Chayim* 58:1) however seem to be in agreement that the best time for one to start the *Sh'monah Esrei* is at *HaNetz HaChamah* based on the verse in *Tehillim* (72:5), "They fear You as long as the sun and moon endure, generation after generation". The reward for such a commitment is great and this person is seen as exhibiting the traits of a *ben Olam HaBah*.

HaRav Ovadya Yosef shlita, in his *sefer Yalkut Yosef* (Vol. 1 pg. 139) has an interesting footnote discussing the debate of whether it is preferred to *daven* with a *minyan* after sunrise or without a *minyan* at sunrise.¹ The key to the debate is understanding the level of obligation to *daven* with a *minyan* and the obligation to *daven* at sunrise. *HaRav Ovadya* quotes a balanced *machloket* citing opinions on both sides. *HaRav Shlomo Kluger*, in his *shut* (47), rejects the proposal, writing that one should opt to *daven* in a *minyan*.²

HaRav Schwartz (*Divrei Yosef*) on the other hand claims that *davening* at sunrise is far more important than *davening* with a *minyan*. His logic is based on the *Gemara* (*Brachot* 22b) which cites a case of one who was obligated to go to the *mikvah* and does so close to sunrise. The *Gemarah* explains that if one is able to immerse, dress and say then *Shema* with sunrise then he should do so. If however one would not have enough time, he should cover himself in the water and say the *Shema*. *HaRav Schwartz* points out that there is no mention in the *Gemara* of *tefillin* being worn. This is important as there is another *halachic* discussion about whether one should *daven* with a *minyan* but without *tefillin* in order not to miss out on *davening* with a *minyan*. The *Halacha* is that the person should not *daven*, but should first put on *tefillin* and *daven* later even alone. The reason being that reading *Shema* without *tefillin* is equated with giving false testimony, since within the *Shema* one reads about the obligation of wearing *tefillin*. Therefore *Shema* at sunrise is preferable to saying *Shema* with *tefillin* later. Consequently, *t'fillah* at sunrise alone is better than *davening* later with a *minyan*. *HaRav Ovadya* also notes a *Be'er Halacha* (58 s.v. *u'mitzva*) which rules that *davening* at sunrise is preferred. I have heard in the name of *Rav Yosef Dov Solovechik*³ *zsl*, that even if one does *daven* alone they should try to ensure to hear *kedushah*, *barachu* and *kriyat haTorah*. However, if one is unable to wait until sunrise due to work considerations⁴, they are allowed to *daven Amida* from *Alot HaShachar* (89:1).

Interestingly the day in the *Beit Ha'Mikdash* started at *Alot HaShachar* and not *HaNetz HaChamah*. *Rashi* (*Megillah* 20a) explains that the day starts from *Alot HaShachar* but due to the complex manner in determining the exact moment, *Chazal* delayed the start of the obligation until *HaNetz HaChamah*. However, due to the full time table of the *Beit Ha'Mikdash* and the use of the 'announcer', there was no concern that the service would start before sunrise⁵.

Natan Rickman

¹ For a practical *halachic* answer, ask your local Orthodox Rabbi.

² There are other such opinions but they have not been included in this article.

³ Also brought in the *Be'er Halacha* 89 s.v. *VaChen*

⁴ Which in London mid-winter, can be as late at 8:09am.

⁵ Once the service did start before *Alot* see *Mishna* 3/2

Revision Questions

יומא ב' ד' – ג' י'

- What restriction was placed on those that could be included in the third lottery? (ב' ד')
- What was decided by the fourth lottery? (ב' ד')
- When did the *korban tamid* require the following number of people to be involve in its offering: (ב' ה')
 - 9?
 - 10?
 - 11?
 - 12?
- How many *kohanim* were required when offering a ram? (ב' ו')
- How many *kohanim* were required when offering a cow? (ב' ו')
- In what case could a single *kohan* perform all the required tasks of a sacrifice? (ב' ו')
- What would the *kohen* call out when he saw (from the viewing spot) that it had reached *alot ha'shachar*? (ג' ז')
- What would they then ask this *kohen* to confirm? (ג' ז')
- Why was this confirmation necessary? (ג' ז')
- Is a *kohen* who is *tahor* required to go to the *mikvah* before performing *avodah*? (ג' ז')
- How many times would the *kohen gadol* go to the *mikvah* on *Yom Kippur*? (ג' ז')
- Where was the *mikvah* that the *kohen gadol* used on *Yom Kippur*? (ג' ז')
- What sheets were placed around the *kohen gadol* when he went to the *mikvah* the first time? (ד' ח')
- What clothing did the *kohen gadol* wear when he offered the *korban ha'tamid*? (ד' ח')
- When was the morning *ketoret* offered? (ה' ט')
- When was the afternoon *ketoret* offered? (ה' ט')
- Explain the debate regarding the order of *kiddush* and *pishut begadim*. (ו' י')
- Which of the *begdei lavan* were more expensive, those of the morning or afternoon? (ו' י')
- Where would the *kohen gadol* stand when doing *vidui* on the *par*? (ו' י')
- What would everyone respond when they heard the *kohen gadol* say *Hashem's* name? (ו' י')
- Who changed the cards used for the *goralot* from wood to gold? (ז' י')
- Was this change considered favourably? (ז' י')
- What two innovations did *Ben Katin* introduce to the *kiyor*? (ז' י')
- What miraculous event occurred to *Nikanor*? (ז' י')

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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
19 th March י"ט אדר	20 th March כ' אדר	21 st March כ"א אדר	22 nd March כ"ב אדר	23 rd March כ"ג אדר	24 th March כ"ד אדר	25 th March כ"ה אדר
Yoma 3:11-4:1	Yoma 4:2-3	Yoma 4:4-5	Yoma 4:6-5:1	Yoma 5:2-3	Yoma 5:4-5	Yoma 5:6-7

